

CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

PHUONG NGUYEN and PHUONG T. NGUYEN, D.D.S., INC.
(d/b/a LASER COSMETIC DENTISTRY)

(b) County of Residence of First Listed Plaintiff San Mateo
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

- Phuong Nguyen, Pro Se, 937 Farrier Pl., Daly City, CA 94014, Tel: (650) 228-6880
- Attorney for Phuong T. Nguyen, D.D.S., Inc. (d/b/a Laser Cosmetic Dentistry), Paul E. Manasian, Esq., 1310 65th Street, Emeryville, CA 94608, Tel: (415) 730-3419

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- | | |
|---|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question
(U.S. Government Not a Party) |
| <input checked="" type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity
(Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	625 Drug Related Seizure of Property 21 USC § 881	375 False Claims Act
120 Marine	310 Airplane	365 Personal Injury – Product Liability	422 Appeal 28 USC § 158	376 Qui Tam (31 USC § 3729(a))
130 Miller Act	315 Airplane Product Liability	367 Health Care/Pharmaceutical Personal Injury Product Liability	423 Withdrawal 28 USC § 157	400 State Reapportionment
140 Negotiable Instrument	320 Assault, Libel & Slander	368 Asbestos Personal Injury Product Liability	LABOR	410 Antitrust
150 Recovery of Overpayment Of Veteran's Benefits	330 Federal Employers' Liability	PERSONAL PROPERTY	710 Fair Labor Standards Act	430 Banks and Banking
151 Medicare Act	340 Marine	370 Other Fraud	720 Labor/Management Relations	450 Commerce
152 Recovery of Defaulted Student Loans (Excludes Veterans)	345 Marine Product Liability	371 Truth in Lending	740 Railway Labor Act	460 Deportation
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	380 Other Personal Property Damage	751 Family and Medical Leave Act	470 Racketeer Influenced & Corrupt Organizations
160 Stockholders' Suits	355 Motor Vehicle Product Liability	385 Property Damage Product Liability	790 Other Labor Litigation	480 Consumer Credit
190 Other Contract	360 Other Personal Injury	CIVIL RIGHTS	791 Employee Retirement Income Security Act	485 Telephone Consumer Protection Act
195 Contract Product Liability	362 Personal Injury -Medical Malpractice	PRISONER PETITIONS	IMMIGRATION	490 Cable/Sat TV
196 Franchise		HABEAS CORPUS	462 Naturalization Application	850 Securities/Commodities/ Exchange
REAL PROPERTY		463 Alien Detainee	465 Other Immigration Actions	890 Other Statutory Actions
210 Land Condemnation	442 Employment	510 Motions to Vacate Sentence		891 Agricultural Acts
220 Foreclosure	443 Housing/ Accommodations	530 General		893 Environmental Matters
230 Rent Lease & Ejectment	445 Amer. w/Disabilities– Employment	535 Death Penalty		895 Freedom of Information Act
240 Torts to Land	446 Amer. w/Disabilities–Other	OTHER		896 Arbitration
245 Tort Product Liability	448 Education	540 Mandamus & Other		899 Administrative Procedure Act/Review or Appeal of Agency Decision
290 All Other Real Property		550 Civil Rights		950 Constitutionality of State Statutes
		555 Prison Condition		
		560 Civil Detainee– Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

- | | | | | | | |
|--|--|--|---|--|--|---|
| <input type="checkbox"/> 1 Original Proceeding | <input checked="" type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) _____ | <input type="checkbox"/> 6 Multidistrict Litigation–Transfer | <input type="checkbox"/> 8 Multidistrict Litigation–Direct File |
|--|--|--|---|--|--|---|

VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. §§ 1346, 1442, 1446 and 2671-2680

Brief description of cause:

Removal of state court action asserting claims against federal employee for conversion and unfair competition under the Federal Tort Claims Act

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P. DEMAND \$ _____ CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No**VIII. RELATED CASE(S), IF ANY** (See instructions):

JUDGE

DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only)

 SAN FRANCISCO/OAKLAND SAN JOSE EUREKA-MCKINLEYVILLE

DATE 11/15/2022

SIGNATURE OF ATTORNEY OF RECORD

/s Emmet P. Ong, AUSA